

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA)	Criminal Action No. 19-58-RGA
)	
Plaintiff,)	
v.)	
)	
CHARTWORLD SHIPPING)	
CORPORATION, NEDERLAND)	
SHIPPING CORPORATION, and)	
VASILEIOS MAZARAKIS,)	
)	
Defendants.)	
_____)	

JOINT STATUS REPORT REGARDING MATERIAL WITNESSES

On June 20, 2019, the Honorable Judge Fallon issued an Order for the Conditions of Release for the following crew members of the M/V Nederland Reefer: 1) Roman Aleev; 2) Oleksander Chernyak; 3) Roman Bakayenko; and 4) Filippos Politis. Misc. Case No. 19-MC-00158. Condition 5 of the Order required a joint status report to be submitted to Court by July 8, 2019. Judge Fallon also ordered that the Government provide to the material witnesses supplemental documentation for the extension of parole.

The following is a joint status report on the material witnesses in United States v. Chartworld Shipping Corporation, Nederland Shipping Corporation and Vasileios Mazarakis, 1:19-cr-00058-RGA filed by the Government on behalf of the parties and material witnesses in this matter, except for Mazarakis who has not agreed to the report.

1. On June 8 and 10, 2019, Defendants Vasileos Mazarakis, Chartworld Shipping Corporation, and Nederland Shipping Corporation filed motions requesting Rule 15 depositions for all crew members of the M/V Nederland Reefer named in the Agreement on Security.

2. On June 12, 2019, Edson Bostic of the Federal Public Defenders Office (“FPD”), filed motions requesting Rule 15 depositions for his clients, Roman Aleev; 2) Oleksander Chernyak; and 3) Filippos Politis.

3. On June 21, 2019, the Government filed its response agreeing to Rule 15 depositions for crew members who have been designated as material witnesses and have requested Rule 15 depositions through their individual counsel with the same conditions of release as ordered in United States v. Marlong Caringal Agbing, et. al, Case No. 19-mc-88.

4. On June 21, 2019, Edson Bostic of the FPD, filed a motion requesting a Rule 15 deposition for his client, Jacek Kakol.

5. On June 25, 2019, Peter Rodway filed a motion requesting a Rule 15 deposition for his client, Roman Bakayenko.

6. On June 28, 2019, the Defendants filed motions objecting to the Government’s Motion to limit the Rule 15 depositions to the crew members who have been designated as material witnesses and requested Rule 15 depositions through counsel.

7. On July 3, 2019, Defendant Mazarakis filed an emergency motion for the Court to conduct an emergency hearing on all pending motions concerning Rule 15 depositions.

8. On July 3, 2019, the Department of Homeland Security, Homeland Security Investigations, extended the Significant Public Benefit Parole for all thirteen crew members of the M/V Nederland Reefer named in the Agreement on Security until October 3, 2019. This documentation will be provided to the material witnesses.

9. As of the date of filing this Status Report, District Court Judge Andrews has not ruled on the Rule 15 Motions. The parties have set the week of July 22, 2019, as a tentative date for the Rule 15 depositions in anticipation of an order by Judge Andrews granting the

Motions for Rule 15 depositions.

10. The parties to this joint report respectfully request that the Court issue a ruling on the pending motions regarding Rule 15 depositions.

Respectfully submitted,

DAVID C. WEISS
United States Attorney

By: /S/ Edmond Falgowski
EDMOND FALGOWSKI
Assistant United States Attorney

JEAN E. WILLIAMS
Deputy Assistant Attorney General
Environment and Natural Resources Division
United States Department of Justice

By: /S/ David P. Kehoe
DAVID P. KEHOE
Senior Trial Attorney
Environment & Natural Resources Division
Environmental Crimes Section

Dated: July 10, 2019

CERTIFICATE OF SERVICE

I certify that on July 10, 2019, the foregoing was filed using the Court's CM/ECF filing system, which will send electronic notification of this filing to all counsel of record.

By: /S/ David P. Kehoe
DAVID P. KEHOE
Senior Trial Attorney
Environment & Natural Resources Division
Environmental Crimes Section